IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5575 OF 2004

Anil Subhashchandra Jaiswal & Anr. ..Applicants.

V/s.

The State of Maharashtra .. Respondents.

Shri Prakash Shetty for the Applicants.
Shri D.R. More, APP for Respondent- State.

CORAM : A.M.KHANWILKAR, J.
DATED : DECEMBER 16, 2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. Even taking the allegations as contended against the present Applicants as it is, the prosecution case is that the Applicants before this court made an attempt to separate the deceased from Kishore Jaiswal, while he had given gupti blow to the deceased. If this is the nature of evidence against the Applicants, the Applicants deserve to be given benefit and ought to be released on bail also because they are of tender age and college going students. Hence, the Applicants granted bail on following

conditions :-

(a) Applicants are enlarged on bail in connection with C.R.No. 209/2004, registered with Vikhroli Police Station, on executing personal bond in the sum of Rs. 25,000/- (Rs. Twentyfive thousand only) each with one or two local sureties in the like amount.

(b) The applicants can avail cash facility for a period of one week only so as to comply with the required formalities of personal bond and sureties within that period.

(c) The Applicants shall report to the investigating officer, daily between 6 p.m. to 7 p.m. for a period of one week from the date of their release and thereafter, once in a week on every Saturday between 10 a.m. to 12 p.m. or such time and place, as may be required by the investigating officer till filing of the chargesheet.

(d) After filing of the chargesheet, the Applicants shall report to the investigating officer once in a month on first Saturday of every English calendar month, between 10 a.m. to 12 p.m. till

completion of the trial.

(e) The Applicants shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that the Applicants are responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(f) The Applicants shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. Ordered accordingly.

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